

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)  
**WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION**

**Mail Stop Patent Application**

Atty. Dkt. 723-1502

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

Date: April 9, 2004

This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:

**BASEBALL VIDEOGAME HAVING PITCHING METER, HERO-MODE AND USER CUSTOMIZATION FEATURES**

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

- ☐ Newly executed Declaration, ☐ Copy of Declaration from prior application, ☒ Abstract  
☐ Please **delete** the following inventors in the continuation/division/continuation-in-part application:  
**Deleted persons:**

51 pages of specification and claims (including 103 numbered claims), and  
22 sheets of accompanying drawing/s for Figures 1 - 20.

- ☐ Attached is a Power of Attorney.  
☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
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, respectively, the entire content of which is hereby incorporated by reference in this application..

- ☐ Certified copy(ies) of foreign application(s) is/are attached.  
☐ Certified copy(ies) filed on \_\_\_\_\_ in prior application no. \_\_\_\_\_ filed \_\_\_\_\_  
☒ This application claims the benefit of Provisional Application Nos. 60/461,423 (Attorney Ref. No.: 723-1392), filed April 10, 2003; 60/493,799 (Attorney Ref. No.: 723-1419), filed August 11, 2003 and 60/537,910 (Attorney Ref. No.: 723-1435) filed January 22, 2004, the entire contents of each of which is hereby incorporated by reference in this application.  
☐ This application is a ☐ continuation/☐ division/☐ continuation-in-part of Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.  
☐ Petition filed in prior application to extend its life to insure co-pendency.  
☐ The prior application is assigned to \_\_\_\_\_  
☐ It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.  
☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.  
☐ Please enter the attached preliminary amendment **prior** to calculation of filing fee:

- ☒ Also attached: ☐ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting inventor(s) named in prior application; ☒ Other: **Form PTO-1449 and copies of the cited references**

- |    |                   |   |                 |               |
|----|-------------------|---|-----------------|---------------|
| 1. | Inventor:         | Henry   | STERCHI         | United States |
|    |                   | (first)   | (last)          | (citizenship) |
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| 2. | Inventor:         | Jeff  | MILLER          | United States |
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☐ **See attached sheet(s) for additional inventor(s) information!!**

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*[Handwritten Signature]*